

# United States District Court District of Massachusetts

UNITED STATES OF AMERICA

v.

CRIMINAL NO. 2004-10262-DPW

ROBERT D'ANDREA,  
DEBRA A. D'ANDREA,  
Defendant.

## *ORDER AND RECOMMENDATION AFTER FINAL STATUS CONFERENCE PURSUANT TO LOCAL RULE 116.5(C)*

COLLINGS, U.S.M.J.

A Final Status Conference was held on January 20, 2005.

The within Order is prepared pursuant to Local Rule 116.5(D). Using the  
numeration of matters listed in Local Rule 116.5(C), I report as follows:

- (1) None.
- (2) No.
- (3) No.

- (4) The government will request that the defendants provide notice of alibi in a separate pleading.
- (5) No non-discovery motions will be filed. There may bne a motion *in limine* filed prior to trial.
- (6) ***An Initial Pretrial Conference should be set AS SOON AS POSSIBLE to set a trial date. THE SPEEDY TRIAL ACT CLOCK IS RUNNING.***
- (7) The case will have to be tried; trial will last about eight days.
- (8) See Further Order of Excludable Delay entered this date.
- (9) Eight days.

Using the numeration of matters listed in Local Rule 116.5(D), I report as follows:

- (1) Yes.
- (2) Yes; no reason for the case to remain with the magistrate judge.
- (3) See ¶ (5), *supra*.
- (4) See ¶ (8), *supra*.
- (5) Eight days.
- (6) None.

I RECOMMEND that the Court set the case down for an Initial Pretrial Conference pursuant to Local Rule 117.1 ***AS SOON AS POSSIBLE TO SET A TRIAL DATE. THE SPEEDY TRIAL ACT CLOCK IS RUNNING.***

THE FILE IS RETURNED TO THE CLERK'S OFFICE WITH INSTRUCTIONS

TO BRING THE CASE TO THE IMMEDIATE ATTENTION OF THE  
COURTROOM DEPUTY CLERK ASSIGNED TO JUDGE WOODLOCK'S SESSION.

The Clerk shall enter on the docket the fact that the case "is no longer  
referred to Magistrate Judge Collings."

/s/ Robert B. Collings

ROBERT B. COLLINGS

United States Magistrate Judge

January 24, 2005.